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Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Iraq

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, on his visit to Iraq from 9 to 15 May 2015. The report contains the findings and recommendations of the Special Rapporteur, as summarized below.

The humanitarian situation of internally displaced persons in Iraq is of great concern and strengthening humanitarian assistance must be a high priority to save lives in the short and medium term. Violence perpetrated by Islamic State in Iraq and the Levant appears to be part of a systematic strategy to remove some ethnic and religious communities permanently from areas where they have lived for centuries. Some internally displaced women and girls have experienced sexual violence, forced marriage and sexual slavery and must be provided with greater protection and support. New waves of displacement have greatly increased the pressure on the Government of Iraq and have already overstretched humanitarian partners. New large-scale displacement can be predicted and must be prepared for. Iraq and the international community must also prepare for the protracted displacement of hundreds of thousands of people and provide the essential attention and resources to promote early recovery, resilience-building and livelihood initiatives that are necessary for ensuring durable solutions for internally displaced persons.

The Government must intensify its efforts to protect and assist internally displaced persons on the basis of legal and policy frameworks in conformity with international standards, established to better meet the immediate, medium and long-term needs and human rights of such persons and stem their flow out of the country. A significant amount of additional funding is required from international donors to help alleviate human suffering. It is imperative that the international community remain a consistent and reliable humanitarian and development partner.

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Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Iraq*

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* Circulated in the language of submission and Arabic only.

I. Introduction

1. In accordance with his mandate contained in Human Rights Council resolution 23/8 and at the invitation of the Government of Iraq, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, conducted an official visit to Iraq from 9 to 15 May 2015. The objective was to examine the human rights situation of internally displaced persons in the context of the ongoing conflict with the self-proclaimed Islamic State in Iraq and the Levant (ISIL), also known as Daesh, and other sectarian violence, as well as to consider legal frameworks, policies and programmes to respond to the displacement crisis.

2. The Special Rapporteur met with senior government officials, including the Prime Minister, Haider al-Abadi, and representatives of ministries with direct responsibilities for internally displaced persons. He met numerous representatives of civil society, volunteer groups and members of the international community, as well as the displaced themselves. He thanks all of those who met with him and provided essential information. He particularly acknowledges the excellent support provided by the United Nations Assistance Mission for Iraq, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees and the Office for the Coordination of Humanitarian Affairs.

3. The Special Rapporteur shared his preliminary findings with the Government at the conclusion of his visit. He appreciates the willingness of the Government to continue to cooperate with his mandate. While reflecting the situation at the time of the visit, the present report takes into account major developments relevant to internal displacement during the drafting period.

II. Context of internal displacement in Iraq

4. The displacement crisis in Iraq is one of huge proportions; it is estimated that close to 3 million persons have been internally displaced since the beginning of 2014. Indeed, by 22 June 2015 the International Organization for Migration had estimated that the number of internally displaced persons, including those previously displaced (before the current crisis which began in 2014), was more than 4 million. The humanitarian country team estimated that 8 million Iraqis required some form of humanitarian assistance, which gives a stark demonstration of the deteriorating extent of the crisis. There is an urgent need for more accurate data about the number, location and needs of internally displaced persons. In territories controlled by ISIL it is almost impossible to obtain data.

5. As recognized in the 2011 report of the former Representative of the Secretary-General on the human rights of internally displaced persons, Walter Kälin, following his visit to Iraq in 2010, for decades Iraqi citizens have been forced to leave their homes in search of safety due to both prolonged conflict, sectarian violence and forced population movements targeting specific ethnic and religious groups (see A/HRC/16/43/Add.1, paras. 12-13). Four major waves of displacement have been identified since the 1970s. The first corresponded to the political regime of Saddam Hussein from 1979 until 2003 during which different ethnic and religious groups faced oppression, targeted attacks and economic exclusion resulting in over 1 million internally displaced persons. The second wave followed the overthrow of Saddam Hussein in 2003 when some 250,000 persons were displaced over the following three years. Between 2006 and 2008 an upsurge in sectarian violence created a further 1.6 million internally displaced persons. Estimates by the Internal Displacement Monitoring Centre suggest that up to 1.1 million people are still

living in protracted displacement following the 2006-2008 sectarian conflict. The latest displacement crisis began in January 2014 with the emergence of ISIL.

6. Between January 2014 and August 2015, 2.9 million persons fled their homes in three new mass waves of displacement following offensives by ISIL; there were also many smaller events. From January 2014 to May 2014, 480,000 people were displaced following violent clashes between the Iraqi security forces and militant groups in Anbar Province. In June 2014, ISIL took over the city of Mosul, the second largest city in Iraq, resulting in an estimated 500,000 people fleeing their homes, many to other parts of the Ninewa Governorate and to the Kurdistan Region of Iraq. From June 2014 to August 2014, the total number of newly displaced persons was 1.2 million of which 833,800 had fled their homes in the north-western province of Ninewa. From September 2014 to June 2015, an additional 1,378,200 individuals were displaced by the conflict.

7. The sectarian dimension of the conflict is evident, including in the profile and situation of different groups of internally displaced persons. Many groups, including minorities such as the Christians, Shabak, Turkmen, Yazidis and other ethnic and religious groups, are particularly vulnerable due to their ethnic or religious identity. Persecution of minorities in territories under the control of ISIL has been widely documented, a situation which led the Special Rapporteur together with the Special Rapporteur on minority issues to issue a press release on 25 July 2014,[1] raising the alarm and calling for greater protection for vulnerable minorities.

8. The prospect of vast new displacement is real and requires a level of preparedness that has been absent in the past. Disturbing developments, including the fall of Ramadi to ISIL on 15 May 2015, resulted in large-scale new displacement. After the fall of Ramadi, more than 100,000 residents fled their homes in two waves of displacement, many seeking refuge in Baghdad.[2] Many were denied access on security grounds and the majority of those originating from Anbar remained displaced within that governorate. Government forces maintain that their objective is to regain control of Ramadi and other territory in Anbar, and significant new displacement can therefore be predicted.

9. A likely military operation by the Government to retake Mosul from ISIL is also predicted to result in hundreds of thousands of newly displaced persons due to the conflict and other factors, including fear of reprisals against the residents of Mosul for their perceived collaboration with ISIL. The humanitarian country team is preparing for the likely displacement of between 800,000 and 1.2 million people from Mosul if Iraqi forces launch an attempt to recapture it. It is essential that all possible precautionary measures be taken before any offensive action to ensure that necessary protection is accorded, and humanitarian assistance is in place and ready to be distributed to internally displaced persons.

[1] Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?LangID=E&NewsID=14904.

[2] According to the International Organization for Migration's Displacement Tracking Matrix.

III. Relevant frameworks for protection and assistance to internally displaced persons

A. Legislation

10. The Government of Iraq has the responsibility to protect internally displaced persons under the 2005 Constitution and international standards including the Guiding Principles on Internal Displacement. While a policy on the treatment of the displaced, the National Policy on Displacement,[3] was formulated by the Ministry of Displacement and Migration in 2008, it does not currently appear to represent an effective basis for action as it is not implemented by government officials in practice. The Policy provides a potentially valuable framework, broadly in line with the Guiding Principles, to address the needs of displaced Iraqis. It seeks to achieve durable solutions and give effect to protection from displacement as required in article 44 of the Constitution.

11. Key provisions of the National Policy on Internal Displacement include: protection of the right to property; recognition of the right to protection against arbitrary displacement; provision of necessary documentation by the Government to internally displaced persons; provision of compensation for lost property in the event of displacement; use of public-awareness campaigns to enhance the concept of national reconciliation; recognition of the right to freedom of movement; protection of the integrity of the family and community; development of a policy to control rent costs for returnee tenants; provision of social and psychological counselling programmes; facilitation of reintegration of internally displaced children in schools ; facilitation of the granting of loans to the previously self-employed to set up small enterprises.

12. It was evident that there was little awareness of the National Policy on Internal Displacement and its provisions. There was a lack of adherence to those provisions by line ministries and other institutions, rendering their potential to assist in guiding government action unfulfilled in practice. Civil society groups emphasized that the Policy existed only on paper and that consequently there was an urgent need for a functioning legal and policy framework as well as training and awareness-raising for public officials and that line ministries and institutions should assume responsibility for the implementation of the Policy.

B. Registration, data and needs assessment

13. Ensuring that internally displaced persons have vital identity and other documentation and registration is an essential first step to the provision of protection and assistance to them. The United Nations Strategic Response Plan 2014/2015, however, indicated that during the initial waves of displacement and their aftermath, only some 30 per cent of internally displaced persons were officially registered. Progress has been made with mass registration completed in the 11 governorates administered by Baghdad and new registration efforts have been under way in the three governorates of the Kurdistan Region of Iraq since the visit of the Special Rapporteur.

14. Many have lost documents or had them confiscated and consequently face challenges to their freedom of movement, registration and access to safety and assistance. Up to 50 per cent of displaced families reported that at least one family member lacked the

[3] Available from www.brookings.edu/~/media/Projects/idp/Iraq_2008_National_Policy.pdf?la=en.

civil documents critical to their legal identity.[4] The problem was brought home to the Special Rapporteur in the story of one internally displaced family who told aid workers that they had been unable to save their daughter, so how could they have saved their documents. Efforts to ensure that all internally displaced persons have the documentation to receive benefits and assistance are essential and require better coordination between the ministries involved, including the Ministry of the Interior, responsible for documentation, and the Ministry of Displacement and Migration, responsible for the registration of internally displaced persons.

15. Civil documents could only be issued or replaced by the Ministry of the Interior (General Directorate of Civil Status Affairs) in Baghdad, Najaf or Sheikhan, creating obstacles to replacing lost civil identity documents or Public Distribution System cards. The Special Rapporteur was informed that the Ministry plans to open new administrative offices in different regions and, following his visit, an office issuing civil documentation opened in Erbil to assist internally displaced persons from Ninewa Governorate. The nature of the displacement crisis and the restrictions encountered by persons travelling to access humanitarian assistance and protection or in taking steps to renew documents require innovative solutions, including the use of mobile documentation and registration facilities to reach internally displaced persons in their locations and provide legal and technical assistance.

16. Significant challenges remain with regard to registration, without which many internally displaced persons are left unable to access vital assistance. Concerns were raised regarding the technical capacity of the Ministry of Displacement and Migration to fulfil its registration function and regarding the lack of staffing, regional offices and a properly functioning registration and management system. Many were unable to register due to a lack of adequate documentation and to the procedures requiring them to replace documents in their places of origin, which is impossible for many internally displaced persons. Lack of information, difficult access to administrative offices or wariness over involvement with the authorities on the part of particular groups, such as Sunnis, are barriers to the registration of internally displaced persons and, as a result, to their gaining access to financial and other vital assistance. The Special Rapporteur was informed that the Government restricts registration of some persons originating in areas not listed as conflict-affected areas. Some governorates (Kirkuk, for example) have restricted registration for newly arriving displaced persons, reportedly out of concern for demographic balance and to discourage them from remaining in the governorate.

17. The actual number of internally displaced persons in Iraq is extremely difficult to assess and is often revised in view of the volatile security situation, the fluidity of population movements and frequent access restrictions for humanitarian personnel. A major challenge is reaching those persons who are scattered in thousands of hard-to-reach locations around the country, either due to ongoing fighting or lack of access to areas controlled by ISIL. In all areas, the great majority of internally displaced persons are living outside camps and are difficult to assess or reach with assistance. An estimated 2.3 million people were living in areas controlled by ISIL, while the number of internally displaced persons living in those areas is unknown.

18. The Displacement Tracking Matrix of the International Organization for Migration is an information management tool that has been used to gather specific information

[4] A late 2014 survey by the United States Agency for International Development indicated that 44 per cent of all internally displaced families had one or more members without a critical national identity card, the *jinsiya*.

regarding the status and location of internally displaced persons across Iraq.[5] From the beginning of January 2014 to 30 July 2015, the Matrix identified 3,171,606 internally displaced individuals (528,601 families)[6] displaced across 103 districts and 3,522 distinct locations in Iraq.[7] Approximately 87 per cent of internally displaced persons are originally from three governorates: 40 per cent from Anbar; 33 per cent from Ninewa; and 14 per cent from Salah al-Din. About 8 per cent are sheltered in camps, 69 per cent in private accommodation, while 20 per cent are classified as in "critical" shelter conditions. The shelter situation of 3 per cent is classified as unknown.

19. A survey conducted with the Displacement Tracking Matrix of internally displaced persons living with host families (approximately 26 per cent of the entire displaced population in Iraq) considered their population profile, primary needs and associated problems, perceptions of their safety and security, and their intentions. Some 44.6 per cent of families surveyed stated that they did not feel safe in their places of displacement, while 59,782 families (42.9 per cent) reported being affected by armed conflict in their location of displacement. Primary needs and problems included the cost, quantity and quality of food, lack of access to work, and poor quality or expensive housing. The vast majority, 97.6 per cent, expressed their intention to return to their place of origin.

C. Preparedness structures, systems and institutions

20. In July 2014 the Government of Iraq established the Supreme Committee for Relief and Displaced Persons in resolution 328 to coordinate its response to the crisis. The Committee was previously headed by the Deputy Prime Minister and, since August 2015 following suspension of that position, by the Minister of Displacement and Migration. Several relevant ministries are involved in the response with the objective of providing rapid assistance to displaced persons. The Committee established an executive committee with regional operational centres in the Kurdistan Region of Iraq, Kirkuk and other areas. Significant national financial resources totalling one thousand billion Iraqi dinar (819 million US dollars) have been provided to the Committee by the Government to finance its activities.

21. A Joint Coordination and Monitoring Centre, the national emergency coordination system, was set up by the Government while its Kurdistan regional counterpart, the Joint Crisis Coordination Centre was established by the Kurdistan Regional Government. Important steps have been taken to overcome barriers to coordination and cooperation between those bodies and to build their respective capacities with the support of United Nations agencies and key donors. Nevertheless, some commentators expressed concern regarding unclear roles and responsibilities across government institutions.

22. Prior to the latest phase of the crisis and emergency response, the Ministry of Displacement and Migration had coordinated and implemented a national policy concerning movements of Iraqi nationals.[8] The Ministry was set up in 2003 and is responsible for all matters relating to Iraqi refugees and displaced persons and all non-Iraqi refugees residing in Iraq. It develops policies to address migration issues and serves as the

[5] It is acknowledged that the Matrix does not track secondary displacement and that given the volatile situation numbers may not be accurate in some instances.

[6] The humanitarian country team revised the planning figures for the humanitarian response to 3.3 million internally displaced persons in view of the information available and the Matrix methodology.

[7] See draft country programme document for Iraq, available from 20150811_IOM_DTM_RoundXXVI_Report_August2015.pdf.

[8] See http://govinfo.library.unt.edu/cpa-iraq/pressreleases/20040508_displacement.html.

focal point for organizations assisting refugees and displaced persons. Among its stated objectives, the Ministry seeks to develop strategies to create durable solutions for internally displaced persons.

IV. Critical humanitarian and human rights challenges

23. Hundreds of thousands of individuals, including persons from all ethnic and religious communities, are living in extremely precarious conditions and often under the threat of violence or further displacement, and with basic and often inadequate shelter, health care, food and water provision. While some education initiatives exist, many internally displaced children are not receiving education other than what basic primary schooling can be provided within such communities. Many internally displace persons have few if any financial resources and little prospect of employment or income-generating activities. Those who are in territory controlled by ISIL are out of reach of humanitarian assistance.

A. Housing and shelter

24. Internally displaced persons are frequently living in substandard conditions in camps and other collective shelters as well as unfinished buildings. As at August 2015 about 236,626 internally displaced persons were registered as living in 40 formally recognized camps across Iraq. According to the Displacement Tracking Matrix, at the time of the Special Rapporteur's visit there were approximately 760,000 displaced Iraqis still living in critical shelter arrangements across the country, including unfinished buildings, religious buildings and informal settlements. Many live with host families, which puts a heavy burden on them. Assistance must therefore also be provided to whole communities affected by displacement. Those in rented accommodation or hotels, with dwindling financial resources face potential eviction.

25. Three categories of shelter arrangements for internally displaced persons have been classified: camps; critical shelter arrangements (school or religious buildings, informal settlements and unfinished buildings); and private settings (host families, rented housing, hotels). As at April 2015, some 64 per cent of internally displaced persons were sheltered in private settings. Another 26 per cent were in critical shelter arrangements, while 9 per cent were housed in camps. In Debaga, between Erbil and Mosul, the Special Rapporteur visited one camp containing 710 families living in tents under extremely hot climatic conditions, with few belongings, who relied on humanitarian assistance for food, water, health care and other essential needs. That situation is replicated in hundreds of locations around the country where internally displaced persons face harsh conditions and uncertainty about their future.

26. According to the United Nations Strategic Response Plan 2014/2015 at least 1.5 million Iraqis in host communities are in need of assistance; the humanitarian country team estimated that by the end of 2015 at least 6 million Iraqis in host communities would require some form of humanitarian assistance. The situation of those persons is frequently highly precarious due to lack of livelihood opportunities. It must also be recognized that the impact on host families is often equally severe and they may require assistance and support as demands on local services and resources are increasing owing to the influx of internally displaced persons. Attention to host communities is also essential to avoid tensions particularly in situations where the displaced belong to different ethnic or religious groups.

27. Stifling summer temperatures as well as plummeting winter conditions require "summerization" and "winterization" measures to create acceptable living conditions.

Climate-related illness and the spread of disease are serious concerns as temperatures become extreme. In November 2014, the Office for the Coordination of Humanitarian Affairs highlighted the fact that the majority of internally displaced persons living in unfinished buildings, tents or open areas lacked any source of heating and required urgent assistance or rehousing. The elderly, persons with disabilities, pregnant women and other highly vulnerable persons must be the highest priority. Adequate provision of water and sanitation facilities as well as of non-food items is essential.

B. Employment, livelihood and income

28. The Government provided an initial cash payment to internally displaced families of around $700 (ID 1 million) per family. That amount is sufficient to cover basic needs including shelter, food and essential items for only a few weeks. Some internally displaced persons interviewed by the Special Rapporteur reported not having received the grant due to administrative obstacles, including lack of documentation and registration, and delays and possible barriers based on their ethnic or religious identity. The Ministry of Displacement and Migration confirmed that, due to the dire financial situation of the Government and delays in registration, only 60 per cent of new internally displaced persons had received the cash transfer. Measures proposed to increase cash payments to them, including a smart card system for monthly payments, were not fully functioning at the time of the Special Rapporteur's visit and must be put into effect as soon as possible.

29. Internally displaced persons face challenges in finding employment or livelihood opportunities in their displacement locations. Work is frequently in short supply for the general population and displaced persons find little if any prospect of work or income-generating activities. In some cases they may find short-term or daily paid work and those with financial resources may be able to begin small income-generating activities. For the majority, however, work is not readily available and their existing resources are rapidly depleted. Household surveys conducted in numerous camps indicated that lack of income was frequently identified as a key concern and meant that internally displaced persons have to borrow money for food and other essential needs. The poorest households and female-headed households may face particular challenges and have to resort to negative coping strategies. Without income or cash grants to pay for rents or food, internally displaced persons find themselves in extremely precarious situations.

C. Access to health care

30. Internally displaced persons throughout Iraq face numerous challenges pertaining to their health and have little access to health care. Poor living and shelter conditions in extreme winter and summer temperatures can cause skin infections, such as scabies, and respiratory infections and can also cause and exacerbate chronic diseases. A shortage of potable water means contaminated water in some locations, which exposes people to waterborne diseases. At the time of the visit, with the arrival of summer temperatures of up to 50°C in some parts of Iraq, WHO representatives expressed concern about internally displaced populations and their extreme vulnerability to outbreaks, including cholera and hepatitis.[9] In early November 2015 a cholera outbreak had resulted in 2,217 confirmed cases in 15 of 18 governorates.[10] Some, including children, had physical injuries, trauma and psychological conditions as a result of the conflict.

[9] See www.un.org/apps/news/story.asp?NewsID=51032.

[10] See www.aljazeera.com/news/2015/11/launches-campaign-tackle-iraq-cholera-outbreak-

31. Many pregnant women have been forced to flee their homes. An estimated 25 per cent of displaced women are of reproductive age. According to the United Nations Population Fund, every week, there are 300 childbirths among displaced Iraqis in Dohuk Governorate alone.[11] In August 2014, the Fund estimated that there could be up to 19,000 pregnant displaced women in Dohuk. Access to specialist reproductive health care is therefore critical and must be put in place for all displaced women. While health-care assistance is more easily provided to those in camps or other collective shelters, an estimated 85 to 90 per cent of internally displaced persons find shelter outside collective facilities and are difficult to medically assess or reach. In areas overtaken by ISIL many hospitals, clinics and health services are thought to be partially or completely non-functional because of lack of medical staff and the damage done to medical facilities.

32. With little or no financial resources or income, many destitute internally displaced persons are reliant on assistance for the provision of essential health care and drugs. Despite the challenges, health services provided by the Government and national and international non-governmental organizations (NGOs) and the United Nations have reached millions. The Ministry of Health has been providing vaccinations with the support of the World Health Organization and the United Nations Children's Fund (UNICEF). Some 5.3 million children have been vaccinated against polio while United Nations and other international health organizations have provided mobile, prefabricated health clinics in areas where internally displaced persons are concentrated, and maintained the supply chain of essential medicines and supplies.

33. The United Nations, however, warned that without significant additional funding for health care, including US$ 60 million of critical funding, services would inevitably be cut back and that some front-line health services have already begun shutting down. In August 2015, a multimillion dollar shortfall forced the World Health Organization to close down 184 health clinics in 10 of Iraq's 18 districts, in areas that have seen severe fighting and massive internal displacement. The cuts have reportedly left 1 million people without access to health care. The World Health Organization reported that of its target to raise US$ 60 million to fund health care in Iraq only US$ 5.1 million had been given by donors by September 2015.[12]

D. Access to education

34. The majority of internally displaced children lack or have only limited access to basic primary education and some have been out of school for many months. This has also had an impact on host communities in areas that have absorbed large numbers of internally displaced persons. Services are overstretched and internally displaced persons have occupied over 1,200 schools and an additional number of religious buildings. This has resulted in education services being significantly affected. In some areas where schools are used as shelters, attendance has become almost impossible for both displaced children and those who are not. Humanitarian agencies have highlighted the need for internally displaced persons to be relocated to alternative facilities in order for the normal functioning of schools to resume.

35. By March 2015 an estimated 540,000 internally displaced children, equivalent to 68 per cent of the total at that time, were out of school. Those residing in host communities were identified as being the most affected. According to field research by the International

151106142858671.html.

[11] See www.unfpa.org/news/pregnant-women-forced-flee-escalating-crisis-iraq#sthash.SxSvSFKZ.dpuf.

[12] See /www.theguardian.com/world/2015/sep/06/refugee-crisis-un-agencies-broke-failing.

Organization for Migration in 2014,[13] obstacles to access to education for internally displaced children were identified and included lack of education facilities, loss of documentation, distance from schools (particularly for those living in rural areas) and limited family income, and sometimes the need for children to work in order to provide income to support their families.

36. The Government in cooperation with the United Nations Children's Fund and the education cluster partners are working to address the massive challenges posed by internally displaced persons, with positive results particularly in the camps. Nevertheless, by February 2015 the education cluster had received only 10 per cent of the funding required to meet basic education needs. Some schools have been rehabilitated, temporary learning spaces have been created and teachers have been trained in order for education needs to be met across all age groups.

E. Food security

37. Access to food and food security remain a major concern for many internally displaced persons as well as the general population in some crisis-affected regions. The supply of essential foodstuffs nationally and locally is uneven and food distribution is severely hampered in some locations by conflict and policy failings. Domestic food production has been severely affected in many regions, including Salah al-din, Ninewa, Kirkuk and Anbar, due to incursions by ISIL into those important agricultural and cereal production areas. The dramatically increasing numbers of internally displaced persons have placed an increasing strain on supplies and caused new requirements for food distribution. The Government is increasingly reliant on food imports.

38. All Iraqis qualify for government food rations through the Public Distribution System, which functioned effectively as a food and financial safety net during the international sanctions period in the 1990s and throughout the extended Iraqi crisis. The Public Distribution System card provides essential items, such as flour, rice, sugar, cooking oil and milk for babies. The current crisis is, however, straining the system. Many people fled without or lost their cards, government reserves of key items are low and distribution networks lack the flexibility to respond to population movements from one governorate to another. Those who have lost their cards are unable to receive rations until new cards are issued.

39. With millions of people currently food insecure, international and national humanitarian organizations are doing their best to fill the gap with food parcels to internally displaced persons and the communities affected. As of October 2015 the World Food Programme has been as a priority trying to reach an estimated 1.5 million persons who were considered highly vulnerable. Humanitarian partners have been providing food to 2 million people every month. Their own huge funding shortfalls, however, mean that they are hampered and frustrated in their efforts and only able to purchase small amounts of food locally. Lack of access to some communities affected means that many remain out of reach of government or United Nations assistance.

[13] International Organization for Migration Iraq Mission, *Ongoing Displacement: A Profile of Iraq 2013-2014*.

F. Security and freedom of movement

40. The Special Rapporteur received disturbing reports of internally displaced persons facing restrictions to their movement and being barred entry to safe locations on the basis of their ethnic or religious identity or place of origin. That potentially places them at significant risk and contravenes international standards and the Constitution of Iraq (arts. 24 and 44). Some governorates have refused access to internally displaced persons or only allowed them to transit. Reports indicate that in locations controlled by ISIL, civilians have been prevented from fleeing. Reports from Government-held territory still receiving internally displaced persons from the ISIL stronghold of Mosul, indicate that civilians attempting to flee face severe punishment if caught. Unverified reports suggest that ISIL has mined routes out of the cities resulting in deaths, while others, including children, have died while trying to leave on foot.

41. The Special Rapporteur was informed of sponsorship requirements for access by internally displaced persons to Baghdad and other locations, requiring families to provide a sponsor who is a resident. Many are not able to meet the criteria and are consequently turned back or left in precarious circumstances. Some families were asked to pay to obtain sponsors. In one case, 100 families seeking entry to Baghdad reportedly had to return to Ramadi where their homes had been damaged at a time when ISIL controlled much of the city. Ramadi subsequently fell to ISIL on 15 May 2015 causing a further wave of internally displaced persons. Many thousands were prevented by the Iraqi army from crossing the Euphrates River to central Baghdad and were stranded for days in soaring temperatures without adequate shelter or basic services.

42. The Babil Governorate refused to admit displaced men aged between 15 and 50 years, putting them at risk and causing family separation as only women and children were allowed entry. The Government pointed out that that was due to constant security threats to the Governorate owing to its close proximity to Anbar Governorate and it was required to ensure security and safety of the population. Despite an announcement by the Prime Minister on 18 April 2015 that the sponsorship requirement would be lifted, it was evident that it remained in place at the time of the visit of the Special Rapporteur and particularly affected the internally displaced Sunni and those coming from Sunni areas including Anbar Province.

43. The Special Rapporteur was informed that from mid-November 2015, approximately 1,800 individuals belonging to an Arab Sunni community were displaced from villages (Na'iniah, Gulat and Ayasha) in Telafar district, and were stuck between Peshmerga forces and ISIL. The Kurdistan authorities reportedly refused to permit passage to safe areas and humanitarian assistance due to allegations of the community's support for ISIL. While some left independently, approximately 105 families (559 individuals) reportedly remained stranded near Golat village between a Peshmerga base and ISIL. They reportedly lacked food and water, were shelled by ISIL and warned to leave or face attack. They were reportedly informed that they would not be allowed to cross Peshmerga lines without clearance from the Kurdistan Regional Government.

44. Government officials stated that security concerns include ISIL fighters infiltrating communities of internally displaced persons. As a result the Government is required to restrict or carefully manage their movement. It was pointed out that following previous flows of internally displaced persons into Baghdad, the incidence of bombings in the city had markedly increased, justifying such restrictions. The Government maintained that where such security concerns existed, there were procedures that facilitated access for internally displaced persons to alternative safe locations and constructed camps, for example on the outskirts of Baghdad, in Bzeibeiz, Al-Khalidiya and Amiriyat al-Fallujah.

45. Internally displaced persons were reportedly arrested and detained, raising concerns, including with regard to due process, conditions and duration of detention, and access for lawyers and family members. Some internally displaced Sunnis in Debaga camp in the Kurdistan region informed the Special Rapporteur at the time of his visit that male family members had been detained and that they had had little or no information about their location nor any contact with them.

46. The Special Rapporteur emphasized the fact that all internally displaced persons have the right to move freely and to gain access to safe areas and humanitarian assistance. Measures should be taken to facilitate that right and to assist their movements in safety, irrespective of their ethnic or religious identity, as well as to provide them with all the necessary assistance. Any restrictions on movement must be justified, temporary, specified in law and non-discriminatory. While acknowledging legitimate security concerns, individuals should be vetted in safe locations, transparently and according to the law and tried or immediately released where no crime has been committed. All barriers to access to safe locations must be lifted. Family unity must be protected and it is unacceptable to separate men from their families without legal justification and due process in accordance with international standards.

G. Discrimination and violence against internally displaced persons

47. Internally displaced persons of Sunni Arab identity face particular discrimination and restrictions to their freedom of movement and ability to reach safe locations. Some have faced threats and violence in locations including Baghdad where Sunnis are treated with suspicion, including by security forces and militias. Human Rights Watch reported abuse, shouting of anti-Sunni slogans and the houses of Sunnis being set on fire, which resulted in thousands leaving Baghdad and seeking refuge in Erbil.[14] On 28 April 2015 unidentified armed men in military and police uniforms raided the house of a displaced Sunni family in the Jihad neighbourhood of Baghdad. Eight Sunni men were allegedly taken away blindfolded and later shot in the head at a school building. No investigation was undertaken into the attack.

48. Internally displaced persons of some ethnic or religious backgrounds have allegedly been prevented by security forces from returning to their homes while others of different identity are allowed to return and to occupy the property of others. In northern Ninewa and in Diyala, Sunni Arabs were reportedly barred from returning to their homes in areas controlled by Kurdistan forces. The authorities cite the state of war and the need for further security checks. Many Arab villages reportedly remain empty in northern Ninewa, despite the fact that the territory is under Kurdistan Regional Government control and the Sunni Arab population has been displaced to nearby areas.

49. The creation of independently operating militias known as Popular Mobilization Forces and their activities and control over certain areas is cause for concern. The Special Rapporteur was informed of allegations of militias destroying homes, forcing people to leave their homes or preventing their return on the basis of factors including ethnic or religious identity. The Special Rapporteur highlights the fact that the actions of all armed persons must conform to international law and standards for the treatment of civilians, including internally displaced persons. Any selective return policy or barriers to the return of those belonging to certain groups on the basis of their ethnic or religious identity would be discriminatory and illegal under national and international law and standards, including the Guiding Principles on Internal Displacement.

[14] See www.hrw.org/news/2015/05/29/iraq-curbs-put-war-s-displaced-risk.

V. The situation of particularly vulnerable groups

A. Gender issues and prevention of sexual and gender-based violence

50. The situation of women and girls who have been internally displaced is particularly alarming. Credible reports refer to the systematic use of sexual violence, forced marriage, sexual slavery and other forms of sexual and gender-based violence perpetrated by ISIL. Atrocities have been carried out against women and girls from different ethnic groups, including Christian and Yazidi minorities, as well as both the Shia and Sunni population. Assistance is required for survivors of violence who manage to flee after having survived rape or other forms of violence, and services should be strengthened. Consequently the United Nations Population Fund reported that it is scaling up its medical and psychosocial assistance for survivors of sexual violence. Mobile psychosocial teams have been deployed in displacement sites and integrated into health, maternity clinics and community services.

51. The threat of sexual and gender-based violence can be high for internally displaced women and monitoring and protection measures must be put in place. Conflict has caused deaths of men and the break-up of family unity resulting in an increasing number of female-headed households. Lacking family, community and economic support networks, internally displaced women may be left destitute and at heightened risk of abuse and exploitation, including trafficking, prostitution and sexual violence. Should women experience sexual and gender-based violence, the resulting stigma may result in them being unwilling or unable to return to their homes or communities. Domestic violence against women has also reportedly increased as families face dire conditions, economic insecurity and unemployment.

52. National and international organizations provide support to women affected by violence who have escaped from ISIL-controlled territory and attempt to meet their medical and psychosocial needs. According to one report,[15] however, government assistance to women who have escaped ISIL is minimal, thinly stretched and should be urgently improved. According to the Yazidi Fraternity and Solidarity League, none of the 175 female returnees from ISIL captivity whom it interviewed had been registered by any official agencies nor had they received any type of support from the Government. Several suicides among internally displaced women have been recorded. The Yazidi religious leadership has tried to play a positive role, taking a public stance that women should not be shamed as a result of any sexual violence that they have experienced.

B. Child protection

53. Children displaced by conflict experience concerns directly relating to their displacement and the breakdown of family and community protection structures. These include physical and/or psychological violence; killing or injury throughout the displacement experience; child labour or exploitation; abduction; recruitment by armed groups; and physical and sexual abuse. Children may experience separation from family members or caregivers, the death of relatives, and may have witnessed extreme violence. Children may become carers or have to take on care roles and responsibilities within households where family and community support mechanisms have broken down. There is a clear need for enhanced levels of psychosocial support for internally displaced children.

[15] Miriam Puttick, Minority Rights Group International and the Ceasefire Centre for Civilian Rights, *No Place to Turn: Violence against Women in the Iraqi Conflict* (February 2015).

54. Registration of births is essential for protection and to avoid statelessness and yet many internally displaced families do not or cannot register children born in camps or urban settlements owing to various factors including a lack of birth registration facilities or access to such facilities, procedural barriers such as missing documents, lack of information and insecurity.

C. Minorities

55. Numerous ethnic and religious minorities have long histories in Iraq. While all population groups are seriously affected by the conflict, some smaller ethnic and religious groups have been particularly vulnerable to displacement. Numerous United Nations and NGO reports have recorded that ethnic and religious minorities, including Assyrians, Christians, Kaka'i, Shabak, Turkmen and Yazidis, have been targeted by ISIL with thousands killed, injured, abducted or forced to flee. Reports have documented summary executions, forced conversion, rape, sexual enslavement, the destruction of places of worship, the abduction of children, the looting of property and other human rights violations prohibited under international law repeatedly committed by ISIL.

56. Violence appears to be part of a systematic strategy by ISIL to permanently remove some communities from areas where they have lived for centuries. Christian communities, for example, were told to leave Mosul or face execution. The Shabak people numbering 200,000 to 500,000, located for centuries in the Ninewa plain area, are viewed as heretics by Islamist militias who have targeted them as a result. The Shabak population in Mosul was forced to flee harassment and killings, many taking refuge in Karbala and the Kurdistan region. ISIL militants regard Yazidis as infidels and they have been regularly targeted. In August 2014, the Special Rapporteur joined other special procedures mandate holders in urging the international community to protect tens of thousands of Yazidis forced to flee their homes in Sinjar, northern Iraq.[16]

57. The extent of the violence targeted against such ethnic and religious groups and poor prospects for their safe return to their homes have resulted in many looking for refuge outside the country. For many, internal displacement has become a staging post for fleeing Iraq. Prior to 2003 Christian minorities were thought to number up to 1.8 million people; at present only around 350,000 remain. In the report entitled *Between the Millstones: Iraq's Minorities Since the Fall of Mosul* it is stated that: "This perspective is rooted both in a sense of hopelessness about the prospect of return and frustration with the continued deterioration of humanitarian conditions. There is a lack of trust that the government will provide the necessary support to facilitate returns, locate missing persons and ensure the return of looted possessions."[17]

58. A systematic campaign by ISIL to eradicate the culture, history and identity of ethnic and religious communities in the areas under its control has resulted in buildings, monuments and other sites of immense religious, cultural and historical importance being destroyed — including churches, mosques and tombs, as well as irreplaceable ancient manuscripts and texts belonging to Iraqi Assyrians, Shabak, Turkmen, Yazidis and other minorities.[18]

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[16] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14936&LangID=E.

[17] Available from http://minorityrights.org/wp-content/uploads/2015/03/MRG_Rep_Iraq_ONLINE.pdf.

[18] Ibid.

VI. Internally displaced persons in the Kurdistan Region of Iraq

59. The Special Rapporteur visited the Kurdistan Region of Iraq and commends the Kurdistan Regional Government for its support for vast numbers of internally displaced persons. An estimated 39 per cent of all such persons (some 1,049,694 individuals) were located in the Region at the time of the visit. Senior government officials emphasized that the population of the Region had increased by 28 per cent due to the influx of internally displaced persons, the great majority from different non-Kurdish ethnic and religious groups. The Kurdistan Regional Government expressed concern over its capacity to absorb and support further internally displaced persons, for example those who might flee a possible government offensive against the city of Mosul, held by ISIL.

60. According to a Kurdistan Regional Government-World Bank report from February 2015, the Kurdistan Region of Iraq was facing an economic and humanitarian crisis as a result of both the influx of Syrian refugees (from early 2012) and internally displaced persons in 2014 and the fall in global oil prices. Economic growth contracted by 5 per cent and the poverty rate more than doubled, from 3.5 per cent to 8.1 per cent.[19] The report estimated the cost of stabilizing the economy in 2015 at an additional US$ 1.4 billion. The report also highlighted the fact that more resources were needed to address the needs of the displaced population in the medium and long term. The Kurdistan authorities told the Special Rapporteur that the Region was not receiving its full allocation of the national budget on a regular basis, further hampering its ability to respond effectively.

61. A household survey of formal and informal sites in the Kurdistan Region of Iraq (Dohuk, Erbil and Sulaymaniyah Governorates) and disputed areas of the Ninewa and Diyala Governorates revealed that essential assistance was being provided to tens of thousands of internally displaced persons in the region by the Government, United Nations agencies and national partners. Key concerns were, however, identified, including accommodation in tents and concerns over "winterization"; lack of household income and diminishing savings leading to negative coping strategies; poor or borderline food consumption and levels of nutrition; missing civil documents; general health-care concerns and high numbers of pregnant or lactating women; and restrictions on movement for those in some camps.[20]

62. The Special Rapporteur visited internally displaced person locations in the region, including the former resort town of Shaqlawa where thousands of Sunni Arabs have fled the war further south in Anbar Province and at present outnumber the local Kurdish population, fuelling concerns over demographic changes. The Special Rapporteur visited internally displaced persons in collective centres and some in unfinished buildings who expressed their relief to be in a safe location, but concern regarding employment, services and their prospects for return. The town's services have been overwhelmed by the influx of internally displaced persons and some concerns exist over the ability to maintain harmonious relations between them and the host community.

63. The Special Rapporteur also visited a temporary displacement centre near the village of Debaga situated 44 km south-west of Erbil. Some 710 Sunni Arab families were living there at the time of his visit, having been displaced from villages along the front line of the conflict between Erbil and Mosul due to the ISIL offensive in 2014. The Kurdistan

[19] See www.worldbank.org/en/news/press-release/2015/02/12/kurdistan-region-iraq-stabilize-economy.

[20] The REACH initiative is a joint initiative of two international NGOs, ACTED and IMPACT Initiatives, and the Operational Satellite Applications Programme of the United Nations Institute for Training and Research, available from http://reliefweb.int/report/iraq/reach-conducts-third-round-idp-camp-profiling-kurdistan-region-iraq.

authorities restrict access without sponsorship to Erbil city and other camps in the governorate for that group of displaced persons on the grounds of possible security concerns among the population. It was pointed out that they were allowed access to Kirkuk. The Mayor stated that their choice was either to go to ISIL or to stay with them.

64. Internally displaced persons in the Debaga settlement were entirely dependent on aid, had no source of funds and very limited opportunities to work, for example, as agricultural labourers. Some stated that they had not received the one-off cash grant of ID 1 million that the Government provided. They lived in extreme conditions in tents with a chronic lack of water, which has to be supplied by tankers on a daily basis. It was also pointed out that internally displaced persons were facing restrictions to their freedom of movement and had no option but to remain at the site, which contravened their rights to freedom of movement and to freely choose their location. In comparison, displaced Christians and Yazidis were allowed freedom of movement.

65. The Special Rapporteur was concerned by the close proximity of the internally displaced persons to a militia training camp and by reports that many of the displaced men had been recruited into the militia. He emphasized the importance of maintaining the civilian character of all the facilities for displaced persons and the risks posed, including forced or coercive recruitment of men and boys and the threat to civilians who might be associated with the militia. Following the Special Rapporteur's visit, the militia was moved from the campsite and in October 2015 the internally displaced persons in Debaga were moved to a newly completed camp comprising concrete houses, accessible to humanitarian organizations.

66. Some internally displaced persons informed the Special Rapporteur that male family members had been detained by the army on the grounds of suspected affiliation with ISIL, a fact acknowledged by local officials. One woman stated that her husband, a teacher, had been detained by security forces in January 2015. A man reported that his three sons and his brother had been detained in February and March. Internally displaced persons interviewed had not been able to visit detained relatives and had only been able to communicate occasionally through the International Committee of the Red Cross. Some 70 detention cases of mostly Arab men were documented at the time of the visit. Some have been charged with acts relating to terrorism.

VII. Progress towards achieving durable solutions

67. The high numbers of displaced persons have put pressure on the Government and the already overstretched humanitarian personnel to respond to immediate needs. This has inevitably limited attention to early recovery, resilience and livelihood initiatives. Steps towards durable solutions are essential and, as established in the Inter-Agency Standing Committee Framework on Durable Solutions for Internally Displaced Persons, comprise either sustainable reintegration at the place of origin; sustainable local integration in areas where internally displaced persons take refuge; or sustainable integration (resettlement) in another part of the country.[21] Efforts to achieve durable solutions for internally displaced persons in Iraq are in their infancy and due to conflict conditions are not conducive to the return of many of them to their areas of origin.

68. Some internally displaced persons have returned to their places of origin as monitored from 27 March 2015,[22] as some previously insecure areas have been liberated.

[21] See www.unhcr.org/50f94cd49.pdf.

[22] Based on data detailed in the Displacement Tracking Matrix, which launched a parallel monitoring

As at 30 July 2015, some 49,220 families were reported to have returned to their locations of habitual residence in five governorates, with most returning to Diyala, Salah al-Din and Ninewa. Support for returning populations is being coordinated through the humanitarian cluster system, although access, capacity and funding constraints have had an impact on the timing and scale of assistance.

69. In many locations of possible return, houses and infrastructure have been totally destroyed. Some houses have reportedly been wired with explosives by ISIL and a state of fear prevents internally displaced persons from returning. Concerns were also raised that some returns to certain locations were being encouraged by the Government without a full assessment of safety and security in those localities and that consultation and consent criteria were not being met. Unconfirmed reports indicated that buses were provided to return some internally displaced persons to their places of origin and payments to them were conditional upon their return. Any returns must be voluntary, monitored, safe and dignified. Many areas require complete reconstruction before return becomes a possibility.

70. There is a lack of dialogue with or willingness on the part of the Government to pursue local integration, which it currently does not consider as a viable alternative to returns. The Special Rapporteur reiterated that internally displaced persons have the right to freely choose whether to return or to seek alternative durable solutions. Return to a place of origin does not, in itself, constitute a durable solution until persons no longer have specific assistance and protection needs linked to their displacement and can enjoy their human rights without discrimination on account of their displacement. Justice, reconciliation and the rebuilding of trust between communities, and between communities and the Government, are required in the short, medium and long term for communities that have been targeted.

71. Some positive initiatives to build resilience and recovery are under way and should be enhanced. For example, the United Nations Development Programme supports temporary income-generating projects that aim to clean the environment and benefit both displaced and host communities. Two NGOs, ACTED and the Danish Refugee Council, conduct cash-for-work activities with internally displaced persons for garbage collection in the camps of Chamishku, Dawoodiya, Akre, Kabarto I and II and in the nearby village of Delobi with funding from the Programme.[23] The UNDP Funding Facility for Immediate Stabilization finances fast-track initiatives given priority by local authorities in areas retaken by the Government. These are helping improve and normalize conditions in highly sensitive areas and laying the groundwork for the return of people displaced by violence.

VIII. Role of the international community

72. United Nations humanitarian agencies and other international organizations are plugging the huge gap in humanitarian assistance to internally displaced persons and refugees to the best of their ability. Their staff members must be commended and some have lost their lives in the exercise of that essential work. They are, however, stretched thin and can only work within the confines of the resources and access that they have — which are seriously inadequate at the present time. These dedicated agencies bear the brunt of criticism on the ground and yet it is the shortfall in funding across all sectors that hampers their work.

system of returnees on 27 March 2015.

[23] See www.iq.undp.org/content/iraq/en/home/presscenter/pressreleases/2015/05/21/improved-basic-social-infrastructure-key-to-displaced-and-host-communities-in-dohuk-camp-opening-in-dawoodiya/.

73. In the context of the armed conflict and the humanitarian crisis, the official status of Iraq as a middle-income country is misleading. The Government lacks the capacity and resources to fully meet the humanitarian needs of internally displaced persons and current and future development and reconstruction requirements are equally massive. It is therefore imperative for the international community to recognize the challenges that the country faces, and for it to remain a consistent and reliable partner in providing humanitarian and development assistance.

74. Mobilizing adequate funding remains a major challenge. On 4 June 2015, the United Nations appealed for US$ 497 million dollars to provide shelter, food, water and other life-saving services over the six months from June 2015. The United Nations Humanitarian Coordinator for Iraq described the aid operation as hanging by a thread and pointed out that more than 50 per cent of the operation would be shut down or cut back if money was not received immediately, with implications that would be catastrophic.[24] The United Nations stated that so serious was the funding shortfall that 77 front-line health clinics had been forced to close and food rations for more than 1 million people had been reduced. Without additional funding, many more life-saving services would be withdrawn.

75. By mid-2015 the education cluster had received only 10 per cent of the funding required to meet the needs of a caseload of 500,000 people. The water and sanitation cluster had received only 25 per cent of the funding required for 3.5 million people and the health and protection clusters, only 30 per cent. The cluster for camp management, essential to improve camp conditions, had received only 2 per cent of the funding required.

IX. Conclusions and recommendations

76. Primary responsibility to protect and assist internally displaced persons lies with national Governments. The Government of Iraq has demonstrated some political will and commitment to addressing the situation. Intensified efforts are, however, required to meet the humanitarian needs and protect the human rights of many of the millions of internally displaced persons. Iraq has neither a legal framework for addressing the rights and needs of those persons nor a comprehensive policy in line with international standards, including the Guiding Principles on Internal Displacement, that is implemented in practice. Its resources are diminishing due to the conflict and prevailing economic conditions, reducing its capacity to respond effectively to the displacement crisis.

77. Since mid-2014, the ongoing conflict with ISIL has created a scenario of mass and unpredictable internal displacement. The Government's approach to date has consequently been largely reactive as it has struggled to respond to large and rapid displacement flows. New large-scale displacement events can be predicted, such as those likely to be caused by government counteroffensives against ISIL in Anbar Province and Mosul. Iraq and the international community must prepare for the protracted displacement of hundreds of thousands of internally displaced persons.

78. The Government of Iraq should intensify its efforts and devote additional resources to meeting the needs of internally displaced persons in a systematic and comprehensive way and to putting in place contingency measures for new displacement. Supported by international development partners, it must also at present turn overdue attention and resources to promoting early recovery, resilience-building and livelihood initiatives that are necessary to ensure durable solutions for

[24] See www.un.org/apps/news/story.asp?NewsID=51050.

internally displaced persons. The Government should ensure that viable options for local integration or voluntary resettlement are in place for those who cannot or do not wish to return to their original homes.

79. The Special Rapporteur makes the following recommendations:

Legislation and policy

80. A legal and policy framework on internally displaced persons must be established and implemented nationally with budgets in place to help guide and regulate government action at the national and regional levels and provide legal guarantees and recourse to internally displaced persons. More effective and coordinated governance, response structures and institutions are required, including measures to improve cooperation between the central Government and the Kurdistan Regional Government.

81. The Iraqi National Policy on Displacement, formulated in 2008, provides a valuable national framework for action. The Government should recommit to this Policy, with the necessary revisions, and take immediate steps towards its full implementation in practice.

Documentation, data and needs assessment

82. Comprehensive national documentation of internally displaced persons is essential to ensure that they have access to protection and assistance. It would assist in the strategic and operational planning, programming and monitoring of assistance to internally displaced persons.

83. Full profiling and needs assessment should be conducted to ensure that the Government and its humanitarian partners have accurate data on the identity, location and needs of all internally displaced persons and that they put in place necessary strategic responses and protection measures. A survey of intent could assess the likelihood of the return of the internally displaced persons, and their desire for local integration or relocation within the country.

84. While outreach to internally displaced persons in areas controlled by ISIL remains highly problematic, efforts to achieve contact and provide support to those who may be seeking safety and/or vulnerable to violence should be considered.

85. The situation and needs of host families and communities that provide vital support and assistance to internally displaced persons must be taken into account to ensure that assistance reaches them as necessary and to prevent, to the fullest extent possible, tensions emerging between the displaced and host communities.

86. Additional, appropriate and secure shelter and housing options for internally displaced persons are required. Cash payments, or vouchers, must be ensured for those living in rented accommodation who may be at risk of eviction. Those in tents, unfinished buildings or makeshift accommodation should be provided with suitable alternatives as soon as possible, particularly in view of the harsh summer and winter temperatures.

87. Appropriate mechanisms must be put in place to reach internally displaced persons outside camps who may lack information, essential service provision and urgent protection. Initiatives such as hotlines have proved effective in the Kurdistan Region of Iraq and should be extended to central and southern regions.

88. The Government must assign the financial assistance required for internally displaced persons to meet their basic needs during the emergency phase and dedicate

resources to achieving durable solutions. It should consider establishing a permanent fund for them and humanitarian assistance based on a percentage of oil revenues. This would provide a guaranteed national funding stream and remove the current overreliance on unpredictable international funding.

Protection and non-discrimination

89. Internally displaced persons have a right to move freely and to seek safety. Measures should be taken to facilitate that right, irrespective of their ethnic or religious identity. Any restrictions on movement must be temporary, non-discriminatory and specified in law, and in situations of risk all barriers to gaining access to a safe location for internally displaced persons must be immediately lifted.

90. While legitimate security concerns require responses, these must be temporary, have a legal basis and be non-discriminatory both in international humanitarian law and international human rights law. Family unity must be protected and it is unacceptable to separate men from their families without legal justification and due process in accordance with international standards.

91. All internally displaced persons must be treated equally, including with regard to their access to safety and assistance, on the basis of their rights, needs and situations without discrimination on the grounds of their ethnic or religious identity, their place of origin or any other factor.

92. The Special Rapporteur was alarmed by widespread and systematic sexual and gender-based violence in areas under the control of ISIL. He notes the April 2015 visit to Iraq by the Special Representative of the Secretary-General on Sexual Violence in Conflict and urges the Government to fully implement her recommendations, including those on internally displaced women who are highly vulnerable.

93. A comprehensive and systematic mechanism for the protection of children, including unaccompanied and separated children, should be established as soon as possible. All parties to the conflict have a responsibility to protect children, including displaced children, from violence, to prevent their recruitment and stop attacks on civilian locations, including schools where children may be at risk.

94. There is a crisis of education that, if not urgently addressed, will have a long-term impact on a generation of children and on the country's stability, potential for reconciliation and economic growth. Education should consequently be considered as a humanitarian and protection issue. Funding for education must be given higher priority and be greatly increased.

95. Accessible birth registration facilities should be put in place and internally displaced persons should be provided with information to ensure that births are registered either in hospitals or through the use of mobile registration facilities for those in rural or hard-to-reach locations.

96. Enhanced protection and assistance must be given to vulnerable ethnic and religious groups, including Christians, Kaka'i, Shabak, Turkmen and Yazidis, who have been disproportionately targeted and displaced by extremists. Their safe and voluntary return or integration into other locations is essential as are their full role in national institutions and dialogue in order to preserve their existence in Iraq and the rich and diverse cultural heritage of the country.

97. Humanitarian aid should be driven by needs alone, without any discrimination on the basis of ethnicity or religion. In particular, internally displaced persons from the Sunni Arab community must receive assistance from the Government on the same basis as all other population groups.

Progress towards achieving durable solutions

98. **The Government, together with its national and international humanitarian and development partners, must begin a dialogue on durable solutions and take concrete steps towards improving resilience and recovery strategies for internally displaced persons. Community-based interventions to improve access to livelihoods should be established and supported as soon as possible.**

99. **The Government and its partners should develop a comprehensive strategy to support the return of internally displaced persons to their original localities and homes where possible. They should be informed of their return which should be voluntary, assisted and carried out in conditions of safety and dignity. Community reconciliation and social cohesion projects should be established where necessary. That may require specially trained units, police and other public officials to avoid problems and tensions emerging.**

100. **Durable solutions for internally displaced persons who are unable or unwilling to return to their homes must include local integration or voluntary resettlement as viable options allowing them to move from temporary shelter to secure, longer-term and appropriate accommodation with livelihood options, education, health care and all other services in place.**

101. **The rights and needs of over 1 million persons previously displaced prior to the conflict with ISIL and in conditions of protracted displacement must not be neglected or dismissed and necessary attention should be given to providing durable solutions for them.**

Role of the international community

102. **Solving the crisis in Iraq and ensuring assistance and protection of internally displaced persons must remain a high priority on the international agenda. The capacity of the Government to meet the needs of such persons is limited, while United Nations agencies are constrained by a lack of international support and finances to deal with the humanitarian situation. While Iraq is perceived as a middle-income country with oil resources, global oil prices have fallen and conflict with ISIL has dramatically reduced available resources.**

103. **The funding shortfall for international humanitarian assistance is seriously hampering the ability of United Nations specialized agencies to fulfil their humanitarian and protection functions. The international community is urged to provide, as a matter of urgency, adequate additional funds and other resources required as well as to guarantee funding for recovery and durable solutions in the longer term.**